

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1005 Advanced Air Mobility

**SPONSOR(S):** Fischer

**TIED BILLS:** IDEN./SIM. BILLS: SB 728

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee		Neuffer	Keating
2) Infrastructure & Tourism Appropriations Subcommittee			
3) Commerce Committee			

### SUMMARY ANALYSIS

The bill creates the Advanced Air Mobility Study Task Force (task force), adjunct to the Florida Department of Transportation (FDOT), to study the current state of development of the advanced air mobility industry and related laws and regulations. The bill instructs composition of the task force to include the FDOT secretary, or the secretary's designee, as the chair. The bill sets forth additional members to be on the task force, either by designation within the bill or by appointment of the Governor. Appointed members serve at the pleasure of the respective appointing authority.

The task force is directed to hold public hearings in locations throughout the state, or by electronic means, and receive public comments through a website or by email. Specifically, the task force must focus on:

- The deployment of VTOL aircraft, defined within the bill as aircraft capable of taking off and landing vertically without the use of a runway.
- Identification and discussion of federal requirements which must be met in order to deploy advanced air mobility in the state.
- Recommendations for revisions to current state law which impact the advanced air mobility industry, such as revisions to create jurisdictional consistency for industry operations across the state.
- Collaboration with local governments to evaluate potential integration of advanced air mobility into transportation plans.

By October 1, 2023, the task force must submit its report of the findings and recommendations to the Governor, President of the Senate, and Speaker of the House. Any additional material which the task force deems appropriate may also be included in the report. Upon submission of the report, the task force is abolished.

The bill does not impact state or local government revenues. The bill does not specify the source of funding or staffing for the task force.

The bill provides for its expiration on December 31, 2023.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Present Situation

Vertical takeoff and landing (VTOL) aircraft are able to take off and land without the use of a runway. Their ability to maneuver in smaller spaces offers new opportunities for mobility. Electric VTOL (eVTOL) aircraft, offer the additional qualities of reduced environmental impact and noise pollution. EVTOL aircraft are large enough to carry passengers without conventional helicopter flight controls.<sup>1</sup> The aircraft uses electric propulsion to lift and move itself through the air. The current direction of the industry suggests the intended use of eVTOL aircraft for urban air mobility, drone delivery, and various industrial applications.<sup>2</sup>

At present, VTOL aircraft, particularly eVTOL aircraft, remain in the developmental stage. The Federal Aviation Administration (FAA) has approved certain types of VTOL aircraft, such as helicopters, for commercial use. To date, no eVTOL aircraft have received final FAA approval. Agreements have been made between private entities and FAA for G1 certification, which is the first step towards final approval.<sup>3</sup> It is unclear when the first eVTOL will receive final FAA certification, with Joby Aviation claiming it still has “several years of aircraft testing ahead of [it].”<sup>4</sup>

One company, Lilium, has announced plans to build an eVTOL port in Lake Nona, Florida, with an estimated completion date of 2025.<sup>5</sup> The City of Orlando has declared this site as the country’s first urban and regional air mobility network.<sup>6</sup> Lilium’s goal is to connect more than 20 million Floridians within a 186-mile radius, serving several major cities, and create more than 100 jobs in the Orlando area with hundreds more following across the state. The company created a “vertiport” architecture for its newly proclaimed hub which it claims will offer functional and aesthetically unique characteristics that can easily be incorporated into existing transportation structures in both urban and suburban developments.<sup>7</sup>

##### Effect of the Bill

The bill creates the Advanced Air Mobility Study Task Force (task force), adjunct to the Florida Department of Transportation (FDOT), to study the advanced air mobility industry’s current state of development and related laws and regulations. Task force members are not provided compensation for their service but are entitled to receive reimbursement for per diem and travel expenses pursuant to s. 112.061, F.S.<sup>8</sup> The task force is composed of the following members:

- The secretary of FDOT or the secretary’s designee, serving as chair of the task force.
- One member of the Senate, appointed by the Senate President.
- One member of the House of Representatives, appointed by the House Speaker.
- The executive director of the Florida League of Cities or the director’s designee.
- The executive director of the Florida Association of Counties or the director’s designee.
- The president of Space Florida or the president’s designee.

<sup>1</sup> See Vertical Flight Society, <https://vtol.news/> (last visited January 21, 2022).

<sup>2</sup> See NASA, Fixed Wing Angle eVTOL, <https://technology.nasa.gov/patent/LAR-TOPS-338> (last visited January 21, 2022).

<sup>3</sup> See Archer Aviation, FAA Approves G-1 Certification Basis for Archer, Propelling it Forward on its Path to FAA Type Certification, GlobeNewswire (September 7, 2021), <https://www.globenewswire.com/> (last visited January 20, 2022).

<sup>4</sup> See Grace Nehls, *Joby Aviation accelerates eVTOL aircraft certification*, CompositesWorld (February 9, 2021), <https://www.compositesworld.com/news/joby-aviation-accelerates-evtol-aircraft-certification> (last visited January 21, 2022).

<sup>5</sup> See Lilium, *Lilium partners with Tavistock development and City of Orlando to establish first region in the US*, <https://lilium.com/newsroom-detail/lilium-partners-with-tavistock-and-orlando> (last visited January 21, 2022).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> See s. 112.061, F.S. (governing per diem and travel expenses of public officers, employees, and authorized persons).

- Fourteen members appointment by the Governor, including:
  - Two members, each representing a different city having a population of more than 250,000 persons.
  - One member representing a city having a population of fewer than 250,000 persons.
  - One member representing a metropolitan planning organization.
  - One member representing the State University System.
  - Three members representing the advanced air mobility industry.
  - Two members representing the business community.
  - One member representing an organization in the state which advocates for persons with disabilities.
  - One member representing an organization in the state which advocates for underserved transportation areas.
  - One member representing a public airport located in a county having a population of more than 1 million persons.
  - One member representing a public airport located in a county having a population of fewer than 1 million persons.

All appointed members serve at the pleasure of the appointing authority.

The task force is directed to hold public hearings in locations throughout the state, or by electronic means, and receive public comments through a website or by email. Specifically, the task force must focus on:

- The deployment of VTOL aircraft, defined within the bill as aircraft capable of taking off and landing vertically without the use of a runway.
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- Recommendations for revisions to current state law which impact the advanced air mobility industry, such as revisions to create jurisdictional consistency for industry operations across the state.
- Collaboration with local governments to evaluate potential integration of advanced air mobility into transportation plans.

After completion of its review, but before October 1, 2023, the task force must submit a report of its findings and recommendations to the Governor, President of the Senate, and Speaker of the House. Any additional material which the task force deems appropriate may also be included in the report. Upon submission of the report, the task force is abolished.

The bill provides for its expiration on December 31, 2023.

## B. SECTION DIRECTORY:

**Section 1** Creates the Advanced Air Mobility Study Task Force; providers for membership and duties.

**Section 2** Provides an effective date.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

Indeterminate. See Fiscal Comments.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

### **D. FISCAL COMMENTS:**

The bill does not specify the source of funding or staffing for the task force.

## **III. COMMENTS**

### **A. CONSTITUTIONAL ISSUES:**

#### **1. Applicability of Municipality/County Mandates Provision:**

Not Applicable. The bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

#### **2. Other:**

None.

### **B. RULE-MAKING AUTHORITY:**

The bill does not require or authorize rulemaking.

### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

The bill does not specify if FDOT will assume responsibility for the expenses incurred by the task force and its members.

Clarification as to the type of electronic meetings permitted would allow a better understanding of in-person meeting alternatives for members of the task force and the public.

## **IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.